

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12571 of Mrs. Maude T. Fisher, et.al, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the lot area requirements (Sub-section 3301.1) to permit the conversion of a building to a three unit apartment house in the R-4 District at the premises 3546 - 13th Street, N. W., (Square 2834, Lot 144).

HEARING DATE: January 25, 1978

DECISION DATE: January 25, 1978 (Bench Decision)

FINDINGS OF FACT:

1. The subject property is located at 3546 - 13th Street, N. W. and is in an R-4 District.
2. The lot is 17.16 feet wide by 127 feet deep and is improved with a three story brick house containing three separate units.
3. The house was purchased by the applicant's husband in 1955 and has been used as a three unit apartment house since and prior to said date.
4. The last Certificate of Occupancy, No. A-33556, dated November 17, 1955 was incorrectly issued for a flat.
5. Evidence of record reflects that the District of Columbia from 1956 to 1977, has been issuing licenses to the applicant's family for the subject premises as an apartment house.
6. On the last renewal date, November 1, 1977, applicant was advised that the premises was listed as a flat and that her application for a Certificate of Occupancy as an apartment house was disapproved.
7. Under Sub-section 3301.1 conversion to a multiple dwelling requires 900 square feet of lot area for each unit within the building. Applicant's lot consists of 2, 179 square feet, where 2,700 square feet is normally required.
8. There was no opposition to the granting of the application.

9. Advisory Neighborhood Commission 1A filed no recommendation on the application.

CONCLUSIONS OF LAW:

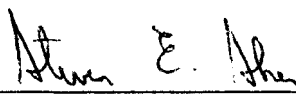
Based on the record the Board concludes that the subject property had a history of apartment house use from 1955 to date, and was being used as such on the effective date of the Zoning Regulations May 12, 1958. The Board concludes that the Certificate of Occupancy for a flat issued in 1955 was in error and should have been for an apartment. The Board concludes that use of the property as an apartment has created no substantial detriment to the public good. Accordingly, it is ORDERED that the application is GRANTED.

VOTE:

4-0 (Chloethiel Woodard Smith, Charles R. Norris, William F. McIntosh, and Leonard L. McCants)

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED By:


STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER:

21 FEB 1978

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.